

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY

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05 DEC 20 AM 10:03

THOMAS H. COULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

BRYAN SAMUEL MOONEY, a minor,  
by and through his parent LISA  
MOONEY, and LISA MOONEY,

Plaintiffs,

vs.

Civ. No. 04-1190-T/P

SUSAN WALLACE, and HENDERSON  
COUNTY BOARD OF EDUCATION,

Defendants.

ORDER TO SHOW CAUSE

Before the court is Defendant Susan Wallace's Motion to Compel Production of Documents and Things, filed October 14, 2005 (dkt # 53). In the motion, Wallace asks the court to enter an order requiring Sheriff Rick Lunsford to produce, in its entirety, any videotape involving Wallace. Local Rule 7.2(a)(2) requires that

the response to the motion and its supporting memorandum . . . shall be filed within fifteen days after service of the motion and shall be accompanied by a proposed order. Failure to respond timely to any motion, other than one requesting dismissal of a claim or action, may be deemed good grounds for granting the motion.

According to the Certificate of Service attached to Wallace's motion, counsel for Sheriff Lunsford and the District Attorney

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General were served with a copy of her motion to compel on October 14, 2005. Neither of these third-parties, however, has filed a response to the motion, and the time to file a response has expired.

Therefore, Sheriff Lunsford is hereby ORDERED to show cause within eleven (11) days from the date of this order why Wallace's motion to compel should not be granted. The Clerk of Court shall mail a copy of this order to counsel for Sheriff Lunsford and the District Attorney General at the following addresses:

Chadwick R. Wood  
Counsel for Sheriff Rick Lunsford  
85 East Church St.  
Lexington, TN 38351

Richard H. Dunavant  
Counsel for District Attorney General Jerry Woodall  
P.O. Box 20207  
Nashville, TN 37202-0207

In addition, counsel for Susan Wallace shall provide Mr. Wood and Mr. Dunavant with written notice of this court's order to show cause.

IT IS SO ORDERED.

  
\_\_\_\_\_  
TU M. PHAM  
United States Magistrate Judge

December 20, 2005  
Date



## Notice of Distribution

This notice confirms a copy of the document docketed as number 78 in case 1:04-CV-01190 was distributed by fax, mail, or direct printing on December 20, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT